THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 22490 of 2005

Dated: 06-12-2005

Between:

Maqbool Pash, Hyderabad

..... PETITIONER

AND

The Inspector of Police,

P.S., Bahadurpura, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 22490 of 2005

O R D E R:

This writ petition is filed to declare that the first respondent-Inspector of Police, Bahadurpura has no right to take up the civil disputes and decide the rights of the parties and for a consequential direction to the first respondent not to interfere with the possession of the petitioner in respect of the house bearing No. 19-4-424/2 to 4, Eid Gah, Tadbun, Hyderabad.

In the affidavit filed in support of the writ petition several allegations were made by the petitioner as to the alleged high-handed action by the first respondent including that the first respondent has been coercing the petitioner to deliver the property in his possession to the second respondent.

However, in the counter affidavit filed by the first respondent-Inspector of Police, Bahdurpura, all the allegations made by the petitioner have been categorically denied and it is stated that it is not the intention of the first

respondent to interfere into the civil matters and to decide the rights of the parties. It is further stated that on 10-10-2005 upon a written complaint made by the second respondent, he made an entry in the general diary vide para No.10 and he called upon the petitioner for enquiry as to the allegations levelled against him. The first respondent has also specifically denied the allegation that he coerced the petitioner to deliver the possession of the property-in-question to the second respondent.

In the light of the above said averments in the counter affidavit no further enquiry is necessary in the writ petition. Accordingly recording the averments of the first respondent in the counter affidavit the writ petition is disposed of.

Learned counsel appearing for the second respondent across the bar submitted that during the pendency of this writ petition, the second respondent also lodged a complaint before the concerned Magistrate and the same has been referred to the first respondent for necessary action. If that be so, it is always open to the first respondent to proceed with the investigation and to take necessary action following due process of law.

With the above observation, the writ petition is disposed of. No costs.

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G.ROHINI,J

06-12-2005

klp